

Remarks

Applicant respectfully submits that entry of this amendment is proper as it places the application in condition for allowance. By the foregoing Amendment, claims 1-9 are cancelled.

Pursuant to a teleconference with the Examiner, the communication of August 25, 2004, indicating that the priority document had been received in this case, was in error. Accordingly, Applicant has submitted simultaneously herewith a certified copy of the English-language Swedish application, to which the present application claims priority.

The Examiner has rejected claims 1-8 under 35 U.S.C. §102(e) as anticipated by Sandberg '048, U.S. Patent Application No. US 2004/0124048, Sandberg '061, PCT Application No. WO 02/073061, and Severinsson, U.S. Patent No. 6,705,437. The Examiner has also rejected claims 1-9 under 35 U.S.C. 35 U.S.C. §103 as obvious over Dagh, U.S. Patent No. 5,507,367, or Bodin, U.S. Patent No. 5,540,303, or Dagh, U.S. Patent No. 5,568,846, or Dagh, U.S. Patent No. 6,330,937, or Gotti, U.S. Patent Application No. US 2004/0050632, at the time of the invention in view of Casey, U.S. Patent No. 4,844,206. Additionally, the Examiner has rejected claims 1-9 under 35 U.S.C. 35 U.S.C. §103 as obvious over Bunker, U.S. Patent No. 6,705,434, at the time of the invention in view of Casey, U.S. Patent No. 4,844,206 and Brooks, U.S. Patent No. 3,705,641. Accordingly, for the purpose of expediting prosecution, claims 1-9 have been cancelled.

Claims 10-16

The Examiner has rejected claims 10-16 under 35 U.S.C. 35 U.S.C. §103 as obvious over Dagh, U.S. Patent No. 6,330,937, or Gotti, U.S. Patent Application No. US 2004/0050632, at the time of the invention in view of Casey, U.S. Patent No. 4,844,206.

Applicant notes that the earliest date Gotti could be applied as prior art is November 27, 2001. The present application, however, claims priority back to July 2, 2001, the filing date of the original Swedish application. Accordingly, in light of the aforementioned submission of the English-language Swedish priority document, Gotti is no longer properly applied as prior art.

Therefore, the only remaining objection of claims 10-16 is the assertion that the invention of claims 10-16 is obvious over Dagh '937 at the time of the invention in view of Casey. Applicant respectfully asks the Examiner to reconsider this rejection in view of the below Remarks.

Dagh '937 in combination with Casey

As acknowledged by the Examiner, the invention recited in claims 10-16 is not anticipated by either Dagh or Casey because all of the elements of these claims are not disclosed in either of these references. Moreover, the invention of claims 10-16 is not obvious over Dagh in view of Casey, as there is no suggestion or motivation to make the relevant modifications necessary to arrive at the invention recited in these claims, as the designs of Dagh '937 and the claimed invention are so different that the entire basic structure of the Dagh design would have to be changed in order to arrive at the claimed invention, as further discussed below.

Applicant respectfully submits that the present invention is of a fundamentally different design than that disclosed in Dagh '937. The present invention relates to a sleeve for the axle, and this sleeve is coupled to the wheel flange. The device

described in Dagh is of a very different design, which comprises a wheel hub that is connected to an axle end 1 via the structure of a bearing unit 2 and is supported by element 6. Because of this fundamental difference in design, Dagh does not disclose a number of the claimed elements of independent claim 10.

First and foremost, Dagh '937 does not disclose "a sleeve adapted to be placed on a wheel axle and coupled to a wheel flange." Instead, Dagh describes a device where the hub is coupled to the axle end 1 via the bearing unit 2. As shown in Figure 1 and described in Col. 2, Ins. 15+, the bearing unit 2 has an outer ring 3, which has a flange 4 that is used to bolt the hub to the bearing unit, and the hub is supported by a supporting element 6. This hub has the spline grooves/bars 8, 9 onto which the brake disc fits. There is no axle sleeve coupled to the wheel flange.

Additionally, there are a number of other claimed elements not disclosed in Dagh '937 that follow from this basic design difference. Specifically, because there is no axle sleeve, but instead, only a hub portion (connected to the axle end via the bearing unit and supported by supporting element 6) that has the spline groove bars for engaging the brake disc, this portion does not have "a generally tubular form," nor does it have an "outer periphery... generally straight and parallel with the main extent of the wheel axle, such that a brake disc is slidable on and off... in any axial direction." Quite to the contrary, the outer periphery of the hub portion in Dagh is neither straight nor parallel with the axle, but rather, has the supporting element 6, which only permits the brake disc to be removed in one direction. Yet another limitation that is not disclosed in Dagh is an inner sleeve wall "having a shorter axial extension away from the wheel flange" than an outer sleeve wall.

Another basic, claimed limitation that does not appear in the Dagh '937 application is recited in claim 11. Specifically, claim 11 recites "a plurality of bridges connecting the inner wall of the sleeve to the outer wall of the sleeve." Dagh, of course, discloses no such structure.

Applicant notes that the final rejection of claims 10-16 simply asserted: "Dagh et al. [and Gotti et. al.] as modified teach the inner wall of the sleeve as claimed adjacent element 4 [and above element 12] in each Figure 1 respectively." Applicant respectfully submits that this statement is unfairly vague and dismissive. The invention recited in claim 10 requires many elements, discussed above, that are not disclosed in Dagh (or Casey, which was cited to show a fixed caliper and does not disclose the sleeve or any of its features as discussed above). The invention recited in claim 11 further requires a plurality of bridges connecting the inner and outer sleeve walls, also not disclosed in the cited art. Dagh and Casey do not disclose or teach a structure with these claimed features, and these features, of course, have not been identified. Applicant respectfully requests that, in the absence of specifically pointing to where these specific features are allegedly disclosed in these references, that an indication of allowability be issued with respect to these claims.

Additionally, though Applicant submits no rejection is warranted for the reasons stated above, in the event the Examiner does issue such a rejection, it is respectfully requested that Applicant be afforded the opportunity to respond to the reasons for such rejection, as the basis for asserting that the cited references include all of the limitations recited in claims 10-16 has not been previously articulated.

It is respectfully submitted that claims 10-16, all of the claims remaining in the application, are in order for allowance, and early notice to that effect is respectfully requested.

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Response to Official Action

Respectfully submitted,

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